

**Fire Safety Code Board
Of Appeal and Review
Hearing Minutes for February 3, 2009**

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, February 3, 2009 2008 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Preiss, Richard, Jasparro, Pearson, Walker, Dias and Filippi. Commissioners Jackson and Blackburn were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #060773: Compliance Director Kathleen Sandberg, for the property located at 411 Narragansett Park Drive, Rumford. DSFM Paul Manning appeared for the State Fire Marshal's office. Commissioner Walker recused himself from consideration of this case. Vice Chairman Newbrook made a motion, seconded by Commissioner Jasparro, to grant the Applicant's request for relief based on structural hardship. The State Fire Marshal's office had no objection, and the motion was unanimous.

APPEAL #090035: Compliance Director Kathleen Sandberg, for the property located at 36-42 Greco Lane, Warwick. ADSFM Choniere appeared for the Warwick Fire Department and DSFM James Moore appeared for the State Fire Marshal's office. Commissioner Preiss

made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant a time variance, until the close of business on Wednesday, February 4, to either move all the children out of the daycare facility located at 36-42 Greco Lane in Warwick, or to connect the cited radio box to the satisfaction of the Warwick Fire Marshal's Office. The motion was unanimous.

APPEAL #060663: Mr. Maxime Menard III, for the property located at 459 Chapel Street in Harrisville. ADSFM Kevin Deschamps appeared for the Harrisville Fire District Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance of thirty (30) days in which to separate the occupancies (approximately a one-hour separation), at the direction and to the satisfaction of the Harrisville Fire District Fire Marshal's office. The motion was unanimous.

APPEAL #070417Z: Ms. Alfreda Badway, for the property located at 141 Urban Avenue, North Providence. DSFM Cynthia Dehler appeared for the State Fire Marshal's office and ADSFM Gregory Unsworth appeared for the North Providence Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Filippi, to grant the Applicant a time variance of thirty days in which to present plans for a local fire alarm system to the North Providence Fire Marshal's office and an additional 120 days in which to have the alarm system installed. The North Providence Fire Marshal's office is granted the authority to extend the above time for good faith efforts

shown by the Applicant. If the Applicant chooses not to install the fire alarm system, the Applicant shall vacate the bar occupancy of this facility. The motion was unanimous.

APPEAL #080127A: N.E. Ventures, LLC, for the property located at 15 Wellstown Road, Ashaway. The AHJ did not appear in person, but Chief Williams indicated by fax that he had no objection to the requested relief. Commissioner Richard made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant's request for a time extension for the sprinkler system in the above captioned facility due to the fact that the municipal water supply has not yet been extended to the street. The motion was unanimous.

APPEAL #080360: Mr. Lloyd Eden, for the property located at 553 Kingstown Road, Wakefield. ADSFM Robert Emmott appeared for the Union Fire District Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioners Dias and Pearson, to grant the Applicant relief from the provisions of section 8.6.3.3 on the basis of structural hardship. The motion was unanimous.

APPEAL #050870: Mr. Joe Park, for the property located at 182-190 Mathewson Street, Providence. ADSFM Joseph Michalczyk appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Dias and Richard, to grant the Applicant a time variance of thirty (30) days to correct any remaining deficiencies in this building, at the direction and to the

satisfaction of the Providence Fire Marshal's office. It is the understanding of the Board that the Applicant has vacated the third floor of this facility, and will not re-occupy it unless and until it is brought up to code. The motion was unanimous.

APPEAL #060785: Mr. Sean Redfern, for the property located at 201 Washington Street, Providence. ADSFM Joseph Michalczyk appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Richard and Preiss, to approve the Applicant's plan of action for that facility, as reviewed and approved by the Providence Fire Marshal's office. The Applicant is directed to have the cited space evaluated within 120 days and make the corrections to this space by November of 2010. The motion was unanimous.

APPEAL #080286, 090018: Brown University, for the property located at 244 Thayer Street, Providence. ADSFM Timothy Lutz and ADSFM Richard Vespia appeared for the Providence Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Pearson and Dias, to approve the Applicant's plan of action, as presented to the Providence Fire Marshal's office and agreed to by the parties. The motion was unanimous.

APPEAL #080358: Foster/Glocester Regional Building Committee, for the property located at 137 Anan Wade Road, North Scituate. ADSFM Dennis Foster appeared for the Chepachet Fire District Fire Marshal's

office. It was determined that a subcommittee of the Board will conduct an on-site inspection of the facility on February 10, 2009.

APPEAL #050047, 050020, 050386, 050607, 060644: Mr. Peter Taraian, for the Boys and Girls Clubs of Providence. It was determined that these cases will be held over until April 7, 2009.

Respectfully submitted,

Carol Marsella

Deputy Director